

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 15, 1955  
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll Call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. J. W. GRIFFIN, Central Methodist Church, 110 West 13th Street.

Councilman White moved that the Minutes of December 8, 1955 be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

MR. S. Z. SKINNER appeared before the Council regarding his subdivision. Mr. Skinner was to enter into a refund contract for the utilities in his subdivision and to put up \$4,500 for the utilities and \$3,000 for the paving. He has deposited the \$4,500 but was unable to finance the \$3,000 and he wanted the Council to approve his plat so he could sell the lots and then pay for the paving. The Council discussed different ways in which Mr. Skinner could finance this and asked the City Manager and City Attorney to help him to work it out.

MR. S. M. HASKETT appeared before the Council and stated he needed medicine for his wife and had been unable to get it at Brackenridge Hospital. The City Manager was requested to call the Hospital and see that he gets the prescription.

Pursuant to published notice thereof the following zoning applications were publicly heard:

C. H. PAGE

808-10 Rio Grande St.  
701-03 West 9th St.

From "B" Residence  
2nd Height & Area  
To "O" Office  
2nd Height & Area  
RECOMMENDED

Mr. Page appeared for this change and stated he wanted to build an office building on this property. No opposition appeared.

The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

\* \* \* \* \*

MISS DOLLY M. BRYANT 2804 Enfield Road

From "A" Residence  
1st Height & Area  
To "BB" Residence  
2nd Height & Area  
NOT Recommended

Miss Bryant appeared for this change, stating she wanted to build apartments on this property. No opposition appeared.

The Mayor asked those who wished to grant the change to "BB" Residence and 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

\* \* \* \* \*

JAKE SILBERSTEIN 1022-30 E. 11th St.  
1150-54 Waller St.

From "C" Commercial  
2nd Height & Area  
To "C-2" Commercial  
2nd Height & Area  
RECOMMENDED

T. A. MAYES

1808-12 E. 12th St.

From "C-1" Commercial  
2nd Height & Area  
To "C-2" Commercial  
2nd Height & Area  
RECOMMENDED

MR. KENNETH LAMKIN appeared for both of these changes. MRS. JOSEPHINE WALKER, 1107 Juniper strongly opposed the change requested by Mr. Silberstein. She spoke also for CORA JAMES, 1103 Juniper and IRENE HENDERSON, 1104 Juniper who could not be present. MRS. MAXINE LOMBARD speaking for her mother, opposed the change requested by Mr. Mayes. Mrs. Lombard stated it would contribute to the general degradation of the neighborhood. REV. SNEED also opposed these changes. A petition was filed opposing the change for Mr. Mayes.

The Council deferred action on these two zoning applications until the following Thursday.

The City Manager submitted the following:

"Sealed bids opened December 9, 1955  
2:00 P.M. Tabulated by: O. G. Brush,  
Purchasing Agent

"BIDS ON  
"CONTRACT FOR QUICK LIME

"FILTER PLANTS

"(Contract 12 months beginning February 1, 1956)

"AUSTIN WHITE LIME COMPANY		ROUND ROCK WHITE LIME COMPANY		U. S. GYPSUM COMPANY	
"UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
"\$15.41	\$53,935.00	\$15.41	\$53,935.00	\$15.66	\$54,810.00
"Net 10th prox.		Net 10th prox.		Less 25¢ per ton if paid by 10th prox. Net total \$53,935.00	

"Present Contract 1955 was awarded by City Council to Round Rock White Lime Company @ \$14.66 per ton - Net.

"On bids taken December 15, 1954, both Austin White Lime Company and Round Rock White Lime Company prices were the same.

"U. S. Gypsum Company unable to bid at that time.

"Recommend contract be awarded to Austin White Lime Company as local business firm.

"WTW

"W. T. Williams, Jr., City Manager"

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 9, 1955 ,

for furnishing lime for the City filter plants for a twelve month period beginning February 1, 1956; and,

WHEREAS, upon an evaluation of the bids received the bid of Austin White Lime Company in the sum of \$15.41 per ton, or a total bid of \$53,935.00 was the best bid therefor; and,

WHEREAS, the City Council deems it to the best interest of the City of Austin to accept the bid of Austin White Lime Company, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin White Lime Company in the sum of \$15.41 per ton, or a total bid of \$53,935.00, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin White Lime Company.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: Councilman Long\*

\*Councilman Long stated that she did not like identical bids.

The Council had before it the bids for the construction of approximately 32 blocks of pavement and accessories known as Voluntary Paving Contract Number 55-V-8, Units 1 through 12. McKown & Sons was low bidder with a bid of \$127,942.25. The Council discussed Unit 6 - Justin Lane and delayed action on awarding the contract until next week so the bids could be explained to the people living on Justin Lane.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 6.64 ACRES OF LAND, SAME BEING OUT OF AND A PART OF BLOCKS 1 AND 2, AND A PORTION OF PATTON AVENUE, ALL OF BERGSTROM DOWNS NO. 1, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is Contractor for the erection of a building located at 2106 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lots 31 and 32, Outlot 22-1/2, Division D, of the City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the north east corner of the above described property; thence in an easterly direction and at right angles to the center line of Guadalupe Street to a point 12 feet east of the normal west curb line; thence in a southerly direction and parallel with the center line of Guadalupe Street approximately 93 feet to a point; thence in a westerly direction and at right angles to the center line of Guadalupe Street to the east line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstruction of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

- (4) That "NO PARKING" signs shall be placed on the street side of the barricades.
- (5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.
- (6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.
- (7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.
- (8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.
- (9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 1, 1956.
- (10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.
- (11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.
- (12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.
- (13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Moore Construction Company is the Contractor for the erection of a building located at 1311 Sabine Street and desires a portion of the sidewalk and street space abutting Lots 1, 7 and 8, Block 166, of the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Moore Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the south line of East 14th Street 140 feet east of the east line of Sabine Street; thence in a northerly direction and at right angles to the center line of East 14th Street to a point 4 feet north of the south curb line; thence in a westerly direction and parallel with the center line of East 14th Street 140 feet to a point thence in a southerly direction and at right angles to the center line of East 14th Street to the north west corner of the above described property. Thence in a westerly direction and at right angles to the center line of Sabine Street to a point 12 feet west of the east curb line; thence in a southerly direction and parallel with the center line of Sabine Street approximately 165 feet to a point; thence in an easterly direction and at right angles to the center line of Sabine Street to the west line of Lot 1.

2. THAT the above privileges and allotment of space are granted to the said Moore Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NO PARKING" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials equipment and other obstructions shall be removed not later than July 1, 1956.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None



Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the north side of East 7th Street as a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is leased by Alamo Welding Supply Company, and is Lot 14, Block 4, Robertson Subdivision, of the City of Austin, Travis County, Texas, and hereby authorizes the said Alamo Welding Supply Company to operate a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Alamo Welding Supply Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations Attached)

"Austin, Texas  
December 10, 1955

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Alamo Welding Supply Company, through their agent E. C. Garland for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and one pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of East 7th Street, which property is designated as Lot 14, Block 4, Robertson Subdivision, of the Original City of Austin, Travis County, Texas, and locally known as 812 East 7th Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1955, for the construction of a reinforced concrete culvert and roadway approaches on Riverside Drive, west of Newning Avenue; and,

WHEREAS, the bid of Hardin Construction Company in the sum of \$23,183.76 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Hardin Construction Company in the sum of \$23,183.76 be, and the same is hereby accepted and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Hardin Construction Company.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Council discussed an ordinance establishing a Social Security Trust Fund for employees of the Police and Fire Departments. The City Manager stated that the Police and Fire Departments had voted earlier to participate in the plan of setting up the trust fund. The ordinance that was discussed created a Social Security Trust Fund Board and defined its powers and duties; provided for the termination of the fund; it also provided a method of financing the system. The Council objected to the provision which granted the Policemen and Firemen

the 2% contributed by the City and to allow them to abolish the plan and vote whether the fund would be used for another retirement system or divided by the members. They agreed that it was the intention of the Council to only set up a fund, the employees contributing 2% and the City 2%, to be used for Social Security benefits if the Congress that convenes January 2, 1956 changes the law to allow Policemen and Firemen to participate in the program and permit it to be made retroactive. If the law was not changed by this Congress then the individual members would get back the money they put in and the City would get back theirs. The City Manager was to check to see if it would be necessary to hold another election and to rewrite the ordinance as indicated.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON LOTS 1 AND 2, WILDER ADDITION, SECTION 1, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6, of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.78 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Council discussed the annexation of Wooten Park Section II and amended the field notes to include the area darkened in pencil on the sketch attached to the ordinance. Councilman Palmer then introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6, of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF 28.24 ACRES OF LAND, MORE OR LESS, AND A TRACT OF 4.43 ACRES OF LAND, MORE OR LESS, BOTH OUT OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH PARK DEVELOPMENT COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL ON APRIL 15, 1955, BY AMENDING SECTION 1, THEREOF, SO AS TO SUBSTITUTE CORONET DEVELOPMENT COMPANY FOR PARK DEVELOPMENT COMPANY, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH PARK DEVELOPMENT COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL ON APRIL 15, 1955, BY AMENDING SECTION 1, THEREOF, SO AS TO SUBSTITUTE WESTERN HILLS, INC. FOR PARK DEVELOPMENT COMPANY, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council had before it "OUTLINE OF SUBSTANDARD HOUSING ORDINANCE". It was stated that the Minimum Housing Ordinance passed in 1950 only applied to houses built after that date and the Council discussed if it should be made applicable to all substandard houses. They also discussed the posting of notice by placard and notifying of the owners. Councilman White was not in favor of making people move out of their houses if they were substandard. The Council felt if the houses were vacant something could be done. It was decided to meet with the Greater East Austin Development Committee at their convenience.

The Council took no action on two resolutions authorizing execution of release of sanitary sewer, drainageway and public utility easements across Lots 2 and 3, Sweetbrush Subdivision and sanitary sewer easement on tract of land owned by Lewis Barclay Herring III in the A. B. Spear Survey No. 25 and asked the Director of Public Works to check these.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1955, for the construction of a 20" water main and appurtenances, being 6,421 linear feet, and extending from Shoal Creek Boulevard and Northland Drive to Palo Duro Drive and Woodrow Avenue; and,

WHEREAS, the bid of Ford-Wagner, Inc., in the sum of \$70,328.14 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ford-Wagner, Inc., in the sum of \$70,328.14 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Ford-Wagner, Inc.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Council discussed the bids for a 7000 G.P.M. Pump, North Austin Booster Station and deferred action until next Thursday.

Councilman Pearson moved that Wade, Barton and Marsh be employed as Auditors for the year beginning October 1, 1955 thru September 30, 1956, for the sum of \$10,000. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE TO AMEND SECTION 19.4 OF CHAPTER 19,  
AUSTIN CITY CODE OF 1954, PERTAINING TO MILK DIS-  
TRIBUTORS' FEES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council appointed MR. GILTON MORGAN, MR. EDDIE ROBINSON and MRS. SUNSHINE WILLIAMS as members of the Civil Defense Council by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Two more members to be appointed next Thursday.

The City Manager reported on a house located in the back of 2001 East 4th Street. He stated the man that bid \$50 for the house and put up a \$5 deposit had forfeited the deposit and did not want to enter into the contract. He stated Mr. M. C. Arocha had offered \$25 for the house and he would tear it down. Councilman Long moved that the Council authorize the City Manager to sell the house to Mr. Arocha for \$25 with the understanding he would demolish it and clean up the area. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The City Manager reported on the request of Mr. Popham, County School Superintendent, that the utility rates for the County Schools be the same as the City School rate. His recommendation was that the rate remain as it is.

The Council discussed the acquisition of an easement for sanitary sewer sludge line to be used in conjunction with the sanitary sewage treatment plant. The City has obtained all the easements for this except across the property of Mr. Joe Fuhrman. The Mayor stated they would talk with Mr. Fuhrman next Tuesday and see if they could settle it. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that in order adequately to serve the rapidly increasing population of the City of Austin, Texas, it has become necessary to expand and improve the sanitary sewage disposal facilities of the City by constructing an oxidation system outside the Corporate Limits of the City, to be used in conjunction with the sanitary sewage treatment plant of said City; and,

WHEREAS, in order to use said facilities it is necessary to construct a sanitary sewer sludge line to connect said sanitary sewage treatment plant with said oxidation system; and,

WHEREAS, the City Council has determined as a matter of fact that said sanitary sewer sludge line must cross the hereinafter described premises, and that a public necessity exists for the acquisition of an easement for such purposes across said land; and,

WHEREAS, it appears that the City of Austin through its duly authorized representatives has negotiated with the owner of said land and has failed to agree with said owner on the market value of an easement across said land; and,

WHEREAS, the City Council now finds as a matter of fact that it is necessary for the City to acquire an easement across said land through the exercise of the power of eminent domain; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders a suit in eminent domain to acquire an easement for the purpose of placing and maintaining a sanitary sewer sludge line in, on, under and across the following described land, to wit:

A strip of land ten (10.00) feet in width crossing the Joe Fuhrman ownership out of the Sanitago Del Valle Grant in Travis County, Texas, the centerline of said easement being more particularly described by metes and bounds as follows:

Tract No. 1.

BEGINNING at a point on the east line of a 30 foot road known as Dalton Lane and on the northwest line of that 1.13 acre tract of land described as Tract No. 2 in a deed from M. H. Freeman to Joe Fuhrman dated January 1947 and recorded in Volume 828, page 581, Travis County Deed Records and from which said point the north corner of the 1.13 acre tract bears N. 44° 52' E. 20 feet, said point being at Station 70 + 47.6 of the centerline of a pipe as located upon the ground; said point also being N. 44° 52' E. 5 feet from the north



corner of a 17.93 acre tract of land conveyed by deed to Jos. W. Blakeslee as recorded in Volume 856, page 171, Travis County Deed Records;

THENCE, 20 feet distant from and parallel to the north line of said Joe Fuhrman 1.13 acre tract and 5 feet distant from and parallel to the north line of said Jos. W. Blakeslee's 17.93 acre tract S.  $45^{\circ} 09'$  E. 980.4 feet to Station 80 / 28.4 a point on the east line of the aforementioned 1.13 acre tract, said point being also on the northwest line of that 26.81 acre tract included as part of Tract No. 1 in the deed to Joe Fuhrman described in Volume 828, page 581, Travis County Deed Records, said point of termination being S.  $44^{\circ} 34'$  W. 20 feet from the north corner of the 26.81 acre tract;

Tract No. 2. BEGINNING at a point on the northwest line of said 26.81 acre tract and from which point the north corner of said 26.81 acre tract bears N.  $44^{\circ} 34'$  E. 15.00 feet;

THENCE, 15 feet distant from and parallel to the northeast line of said 26.81 acre tract as found fenced S.  $45^{\circ} 09'$  E. 1206.6 feet to a point of termination at Station 92 / 35 which is on the southeast line of the 26.81 acre tract as fenced.

AND in addition thereto a temporary working space easement 5 feet in width parallel and adjacent to the north line of Tract No. 1, and 20 feet in width parallel and adjacent to the south line of Tract No. 2, to cover the period of original installations.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

This suit to be filed in the event they could not negotiate with Mr. Fuhrman.

The City Manager reported that Judge Ben Powell would give land for street purposes at 51st Street east and west of Cameron Road if the City would pave it within 90 days. He estimated the cost to be \$921. Roll call on the proposition to make this deal to extend the right-of-way at 51st Street and Cameron Road, the land needed by the City to be conveyed by Judge Ben Powell, in return the City will pave it within 90 days, showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Dec. 15, 1955

The City Manager submitted a request from Mr. Spencer Scott, asking that action on the annexation of Eubank Acres be held up.

The Council took no action on the request of Mr. Nash Phillips that he do just part of the drainage in his subdivision - Delwood 4.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Planning Commission and set for public hearing on January 5, 1956:

W. A. BURNS	521-23, 522-24 Sacramento	From "A" Residence
Colorado Building	Dr.; 516-18 Powell Circle;	1st Height & Area
Corporation	2807-09, 2901-07 So. 1st St.	To "LR" Local Retail
		1st Height & Area
FIRST BAPTIST CHURCH	200-04 East 14th Street	From "B" Residence
	1401-07 Brazos Street	3rd Height & Area
	205 East 15th Street	To "C" Commercial
		3rd Height & Area

There being no further business the Council adjourned at 3:00 P.M. subject to the call of the Mayor.

APPROVED

*Tom Miller*  
Mayor

ATTEST:

*Grace Monroe*  
Deputy City Clerk